

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WASHINGTON
SEATTLE DIVISION

Chris Templeton,

Plaintiff,

v.

The Bishop of Charleston, a Corporation
Sole,

Defendant.

Case No. 2:20-mc-00083-RSL

01578 MJP

PLAINTIFF'S SURREPLY TO DEFENDANT'S MOTION TO QUASH

COMES NOW, Christopher Templeton, Plaintiff herein, and shows as follows:

The Plaintiff has clearly demonstrated that there is no infringement on any First Amendment "Freedom of Religion clauses." It is well established that despite appearances, the Catholic Church is not raping children as a basis of its religious dogma. Full compliance with the mandatory disclosure statutes in the state of South Carolina is Constitutional.

The Defendant maintains its position that the Timothy Watters deposition cannot proceed because an undisclosable confidentiality agreement.

The fact is that on October 16, 2020, a date before the deponent had ever been served, Gregg Meyers prepared a declaration signed under oath by Witness Watters (See Exhibit "A"). This voluntary declaration prepared by attorney Gregg Meyers claims no reference to any confidentiality agreement among any party. Counsel for the Plaintiff noted the failure to reference Father Wayland Brown who kidnaped the Plaintiff from Savannah, Georgia to St. Anthony's Mission Church to be raped by Raymond DuMochelle.

In response to the failure to address Wayland Brown, Gregg Meyers supplied yet another

declaration in which the witness now under subpoena disclosed he knew Wayland Brown and recalled him from a 1977 meeting because of his sexually inappropriate conduct (See Exhibit "B"). Notably in this second declaration there is again no reference to any confidentiality agreement. The confidentiality agreement the Defendants rely on allegedly precludes Watters from testifying about everything. With the help of Attorney Meyers, the witness certainly did disclose information regarding his knowledge about a "nest of pedophiles." That is the very issue his deposition is to cover.

Further and perhaps more stridently arguing against any privilege from testifying is that Attorney Gregg Meyers supplied Diocesan counsel the first October 16 declaration as well as the October 26 declaration. Attorney Gregg Meyers has admitted that he prepared and represented Watters in order to ensure that Watters fulfilled his obligation to the diocese of Charleston. There is absolutely no way that Meyers or Watters could possibly have known of the subpoena absent conversation with Diocesan counsel, Richard Dukes (See Exhibit 'B').

Despite the fact that Gregg Meyers in this same litigation represented the Plaintiff, Christopher Templeton, at no time did he disclose to Christopher Templeton or to Christopher Templeton's current counsel that he had been contacted by the Diocese. Neither did he admit that he was engaging in representing an adverse witness to the plaintiff in support of the adverse party.

Neither the Defendant, nor the deponent has produced any admissible evidence regarding any confidentiality agreement. Even to the extent that such a confidentiality agreement existed, it is clear that Gregg Meyers, Plaintiff's former counsel, in conjunction with the Diocese of Charleston, made disclosures regarding Timothy Watters meetings with known pedophiles.¹ Such conduct must be deemed a waiver of any privilege.

¹Both Thomas Evatt and Wayland Brown are known pedophile priests.

WHEREFORE, Plaintiff prays that this Court enforce Plaintiff's properly served subpoena.

Dated: November 6, 2020.

Respectfully submitted,

By: /s/Charles L. Henshaw, Jr.

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By: /s/Mark A. Tate

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By: /s/ J. D. Smith

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ATTORNEYS OR PLAINTIFF

DECLARATION OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington that I have served a true and correct copy of the foregoing to Opposing Counsel using the CM/ECF system.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed at Mercer Island, Washington on Friday, November 06, 2020.

/s/ J.D. Smith

J.D. Smith

Wendy Kell

From: Mark Tate
Sent: Tuesday, November 3, 2020 1:01 PM
To: Wendy Kell
Subject: FW: Watters declaration.PDF
Attachments: Watters declaration.PDF

From: Dukes, Richard S. <RDukes@TurnerPadget.com>
Date: Tuesday, October 27, 2020 at 4:11 PM
To: charles.henshaw@fholaw.com <charles.henshaw@fholaw.com>, Mark Tate <marktate@tatelawgroup.com>
Subject: Watters declaration.PDF

Gentlemen:

I am working on our reply today. When we file, we will attach the attached Declaration of Fr. Tim Watters that we received yesterday afternoon from Gregg Meyers. I did not want to surprise you with it, so am forwarding it now.

Regards,

Rich

Turner Padget

Richard S. Dukes, Jr.
Attorney
PO Box 22129 | Charleston, SC 29413
40 Calhoun Street, Suite 200 | Charleston, SC 29401
843-576-2810 | Fax 843-577-1646
rdukes@turnerpadget.com
[Bio](#) | [vCard](#) | [Location](#)



IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

REGARDING:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
CIVIL ACTION NO.: 2:18-CV-02003-DCN

Chris Templeton.

Plaintiff,

vs.

The Bishop of Charleston, a Corporation
Sole,

Defendant.

**DECLARATION OF REV. TIMOTHY J.
WATTERS**

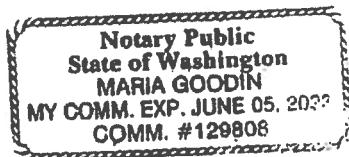
I, Rev. Timothy J. Watters declare as follows:

1. I am over the age of 18 and have personal knowledge of the matters herein.
2. I am a retired priest of the Diocese of Charleston, South Carolina.
3. I served as *Officialis* of the Diocesan Tribunal, which is the ecclesiastical court for the Diocese.
4. I have no information regarding the accusations against Fr. DuMouchel, nor do I have any information regarding Chris Templeton and his claims.
5. I am not aware of any canonical or ecclesiastical proceeding regarding Fr. DuMouchel during the years I was appointed to the Diocesan Tribunal.
6. I possess no documents requested by the Plaintiff in the subpoena.
7. I have no idea who Janet Warren is, and have no information regarding her.
8. I have had no communication with Dawes Cooke.

9. I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Sinclair J. Dralle

October 16, 2020



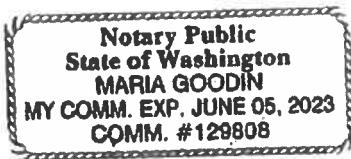
Maria Goodin
Expires: 06/05/2023

WASHINGTON SHORT-FORM INDIVIDUAL ACKNOWLEDGMENT
RCW 42.45.140

State of Washington }
County of Whatcom } ss.

This record was acknowledged before me on 10/20/2020
Date

by Timothy Watters
Name(s) of Individual(s)



Maria Goodin
Signature of Notarizing Officer

Notary Public
Title (Such as "Notary Public")

Place Notary Seal and/or Stamp Above

My commission expires: 06/05/2023

OPTIONAL

*Completing this information can deter alteration of the document or
fraudulent reattachment of this form to an unintended document.*

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Wendy Kell

From: Mark Tate
Sent: Tuesday, November 3, 2020 1:30 PM
To: Wendy Kell
Subject: FW: Uploaded files

From: Mark Tate <marktate@tatelawgroup.com>
Date: Sunday, November 1, 2020 at 1:38 PM
To: charles.henshaw@fholaw.com <charles.henshaw@fholaw.com>
Subject: FW: Uploaded files

From: G Meyers <attygm@gmail.com>
Date: Sunday, November 1, 2020 at 1:37 PM
To: Mark Tate <marktate@tatelawgroup.com>
Subject: Uploaded files

Mark:

I have uploaded to you via wetransfer.com emails you requested as to the period of representation.

Other emails are not produced. No discussion as to Fr. Watters ever went outside the content of the public record as to his circumstances, so I disagree there was any waiver. None of us waives the attorney-client privilege by filing a complaint or discussing a complaint.

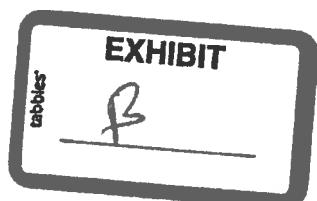
But Watters is not adverse. Nor am I. The Diocese is adverse. Watters remains part of the Diocese and has obligations to the Diocese, which obligations he wanted me to help him stay consistent with.

As I have explained from the start, Watters knows nothing about allegations against DuMouchel or Brown. His knowledge is limited to Unterkoeffler knowing generally that some priests were sexually abusing children, but nothing about DuMouchel or Brown.

I am glad to hear from you reasons why I should think about this differently. I gather since you didn't return my phone call that you prefer to communicate in writing.

Gregg Meyers
Attorney At Law
217 Lucas Street Unit F1
Mt. Pleasant, SC 29464

843-324-1589
attygm@gmail.com



IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

REGARDING:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
CIVIL ACTION NO.: 2:18-CV-02003-DCN

Chris Templeton,

Plaintiff,

vs.

The Bishop of Charleston, a Corporation
Sole,

Defendant.

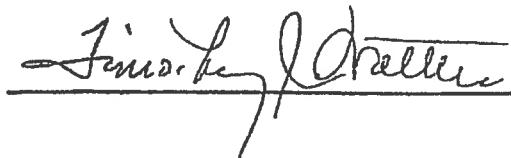
DECLARATION OF REV. TIMOTHY J.
WATTERS

I, Rev. Timothy J. Watters declare as follows:

1. I am over the age of 18 and have personal knowledge of the matters herein.
2. I am a retired priest of the Diocese of Charleston, South Carolina.
3. I served as *Advocate* and later *Officialis* of the Diocesan Tribunal, which is the ecclesiastical court for the Diocese.
4. I have no information regarding the accusations against Fr. DuMouchel, nor do I have any information regarding Chris Templeton and his claims.
5. I have no information regarding Wayland Yoder Brown's criminal activities, nor do I have any information regarding Chris Templeton and his claims. I met Wayland Brown briefly in 1977 when I was visiting St. Joseph's Parish in Charleston. Wayland Brown was visiting Rev. Thomas Evatt and Rev. Christopher Lathem, both of whom resided at St. Joseph's. I recall him only because he used sexual innuendo as a form of humor, which was unusual for a priest.

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6. I am not aware of any canonical or ecclesiastical proceeding regarding Fr. DuMouchel or Wayland Brown during the years I was appointed to the Diocesan Tribunal.
7. I possess no documents requested by the Plaintiff in the subpoena.
8. I have no idea who Janet Warren is, and have no information regarding her.
9. I have had no communication with Dawes Cooke.
10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



A handwritten signature in black ink, appearing to read "James J. Doherty". The signature is written in cursive and is underlined.

October 29, 2020

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of October, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system when will send notification of such filing to the following:

J.D. Smith, WSBA #28246
LAW OFFICE OF J.D. SMITH, PLLC
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 Mercer Island, WA 98040
 Phone: 206-588-8529
 Fax: 206-588-8531
 Email: JD@JDSmithLaw.com
Attorney for Plaintiff

I hereby certify that on the 30th day of October, 2020, I sent via electronic mail the foregoing document to the following non CM/ECF participants:

Mark A. Tate
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 Phone: 843-626-7621
 Email: Charles.henshaw@fholaw.com
Attorney for Plaintiff

CHRISTIE LAW GROUP, PLLC

By /s/ Robert L. Christie
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 Phone: 206-957-9669
 Email: bob@christielawgroup.com

DECLARATION OF REV. TIMOTHY J.
 WATTERS
 (Case No. 2:20-cv-01578-MJP)

CHRISTIE LAW GROUP, PLLC
 2100 WESTLAKE AVENUE N., SUITE 206
 SEATTLE, WA 98109
 206-957-9669

DECLARATION OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington that I have served a true and correct copy of the foregoing to Opposing Counsel using the CM/ECF system.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed at Mercer Island, Washington on Friday, November 6, 2020.

By: /s/ J. D. Smith
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